



**City of Nampa
Public Works Department**

September 30, 2010

Ms. Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
State Office
1410 N. Hilton
Boise, ID 83706-1255

RE: Proposed Antidegradation Rule

Dear Ms. Wilson:

The City of Nampa is the second largest municipality in Idaho and in the Treasure Valley. The City has long been a strong supporter of improving the environment as witnessed by having the first municipal wastewater treatment plant in the valley. This plant currently treats the largest population equivalent load in the state. As such, our plant removes more biochemical oxygen demand than any other domestic plant. Nampa has a substantial interest in the protection of human health and the environment.

The City has been actively involved in the development of the proposed rule and supports the State of Idaho developing antidegradation procedures that meet the Clean Water Act requirements. As a member of the Association of Idaho Cities (AIC), we fully support the AIC letter of comment on this rule.

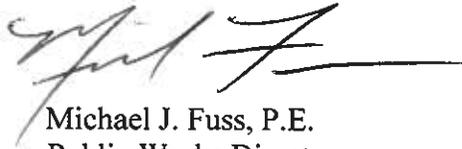
In particular, the City of Nampa wants to express its support to two items in the AIC letter. In the proposed rule, the Department of Environmental Quality (DEQ) modified wording of paragraph 52.08.c (page 460) that discusses offsets. The proposed wording of the rule is *"These offsets in pollution must be upstream of the degradation in water quality due to the proposed activity or discharge and occur before the activity or discharge is allowed to begin."* This wording will allow the City of Nampa to trade with another site (Dixie Drain for instance) for any additional phosphorus removal. This will allow the various dischargers with more flexibility to effectively meet the cost requirements and also to improve the overall water quality of the Boise River.

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Also, we strongly support the AIC comment on Identifying Tier I and Tier II waters. We recommend that DEQ include a list of Tier I and II waters in the guidance document. For a discharger to not know if the receiving stream is Tier I or II prior to beginning its study means that much work could be done on the wrong assumption. For example, the preliminary list of Tier I streams that was prepared by DEQ does not include lower Indian Creek. This meant that the lower Indian Creek was a Tier II stream with its additional requirements. However, DEQ is preparing a Total Maximum Daily Load on lower Indian Creek due to biological impacts, which means that it should be listed as a Tier I water body.

The City of Nampa is pleased to participate in this important rulemaking and appreciates DEQ's efforts to include all the stakeholders in the process.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Fuss", with a long horizontal flourish extending to the right.

Michael J. Fuss, P.E.
Public Works Director

cc: Craig Anderson, P.E., Murray, Smith & Associates, Inc.
Lawrence J. Bennett, P.E., Bennett Engineering
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